

Atty Dkt. No.: PALO-001
USSN: 10/661,368

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 1-33 and 37-63, as well as newly added Claims 64-80; the only claims pending and under examination in this application following entry of the above amendments.

Formal Matters

Claims 1-35 and 37-63 have been examined.

Claims 1-11, 18, 21, 31-34 and 37-52 have been rejected.

Claims 53-63 have been allowed.

Claims 12-17, 19, 20, 22-30, and 35 have been objected to for being dependent on rejected Claim 1.

Claim 1 has been amended to incorporate the elements of Claims 35.

Claim 14 has been amended to correct a typographical error.

Claims 34 and 35 have been canceled.

Newly added Claims 64-80 have been introduced. Claims 64-80 claim the subject matter of originally filed Claims 12-17, 19, 20, and 22-30.

As no new matter has been added by the above amendments, the Examiner is respectfully requested to enter the above amendments.

Double Patenting

Claims 1-35 and 37-63 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-83 of copending Application No. 10/871,366. In view of the enclosed Terminal Disclaimer, this rejection may be withdrawn.

Claim Rejections under 35 USC § 102(e)

In the Office Action, Claims 1-11, 18, 21, 31-34, and 37-39 were rejected under 35 U.S.C. §102(e) as being anticipated by King et al (2004/0210261).

Without any intention to acquiesce to the correctness of this rejection, Claim 1 has been amended to recite the subject matter of Claim 35. Since Claim 35 was not included in this rejection, this rejection may be withdrawn.

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Claim Rejections under 35 USC § 103(a)

Claims 40-44 and 48-51 have been rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. in view of Hill et al. (USPN 6628987). Each of Claims 40-44 and 48-51 include the subject matter Claim 1, which now includes the limitation of Claim 35. Since Claim 35 was not included in this rejection, this rejection may be withdrawn.

Claims 45-47 and 52 were rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. Each of Claims 45-45 and 52 include the subject matter from Claim 1, which now includes the limitation of Claim 35. Since Claim 35 was not included in this rejection, this rejection may be withdrawn.

Newly Added Claims

Claims 64-80 contain the subject matter of originally filed Claims 12-17, 19, 20, and 22-30. In the Office Action, the Examiner has stated that original Claims 12-17, 19, 20, and 22-30 would be allowable if rewritten in independent format. Accordingly, newly added Claims 64-80 are allowable.

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Conclusion

The Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number PALO-001.

Respectfully submitted,
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